

Applicant : Robert Ayers and Richard L. Sites
Serial No. : 09/635,999
Filed : August 9, 2000
Page : 8 of 11

Attorney's Docket No.: 07844-366001 / P341

REMARKS

Claims 1-56 were pending. Claims 57-68 had been withdrawn in response to a restriction requirement. Claims 19-21, 27, 47-49 and 56 stand rejected under 35 U.S.C. Section 102(a) as being anticipated by "BCL's SimpleBook Opens ebooks to the Web," published on July 25, 2000 ("BCL"). Claims 1-18, 22-26, 28-46, 50-54 and 56 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over BCL in view of U.S. Patent No. 5,633,996 to Hayashi et al. ("Hayashi"). The applicant has cancelled claims 1-68 without prejudice and added new claims 69-88. The applicant respectfully requests reconsideration in view of the amendments and remarks.

RESTRICTION

The Examiner directed the applicant to affirm the election of claims 1-56. The applicant confirms that an election of claims 1-56 was made without traverse.

SECTION 102 REJECTIONS

Claims 19-21, 27, 47-49 and 56 stand rejected as being anticipated by BCL. The applicant has cancelled these claims without prejudice.

SECTION 103 REJECTIONS

Claims 1-18, 22-26, 28-46, 50-54 and 56 stand rejected as being unpatentable over BCL in view of Hayashi. The applicant has cancelled these claims without prejudice.

NEW CLAIMS

The applicant has added new claims 69-88, of which claims 69 and 79 are in independent form. Support for these claims can be found in FIG. 2, FIG. 3, and the text from page 7, line 26 to page 8, line 22 of the applicant's specification.

Applicant : Robert Ayers and Richard L. Sites
Serial No. : 09/635,999
Filed : August 9, 2000
Page : 9 of 11

Attorney's Docket No.: 07844-366001 / P341

Claim 69 recites:

A computer program product, tangibly stored on a computer-readable medium, for reflowing a page, the product comprising instructions operable to cause a programmable processor to:

receive a page represented in a page description language, the page including a column of text having a width and a length, the page further including a graphical element having a vertical position on the page, adjacent to a vertical side of and outside the column, wherein an item of text in the column and the graphical element have a spatial relationship in that the item has a vertical position corresponding to the vertical position of the graphical element;

change the size of the text, the width of the column, or both so that the relationship between a size of the text and the width of the column is changed, and then reflow text in the column so that the item of text has a new vertical position as a result of the reflow; and

reposition the graphical element on the page according to the new vertical position of the item of text.

As can be seen, claim 69 requires that the computer program product for reflowing a page includes instructions to reposition a graphical element on the page. The repositioning is performed according to a new vertical position of an item of text that had (before the reflow) a vertical position corresponding to the vertical position of the graphical element.

The applicant respectfully submits that BCL and Hayashi, either alone or in combination, do not disclose or suggest elements of claims 69, for example, the above described repositioning instructions. BCL does not disclose or suggest the claimed repositioning instructions. BCL discloses a reflow technique in which the structures of complex documents are separated into zones. Each zone consists of a single element – a simple picture, piece of text, list or table. These zones are then automatically sequenced into a natural reading order and then passed to output filters. The output filters output to full HTML 3.2 or RFT. (See BCL, at page 1.) The repositioning in BCL, assuming *arguendo* that there is a repositioning, is done according to the

Applicant : Robert Ayers and Richard L. Sites
Serial No. : 09/635,999
Filed : August 9, 2000
Page : 10 of 11

Attorney's Docket No.: 07844-366001 / P341

natural reading order. The applicant respectfully submits that repositioning according to a natural reading order is quite different from repositioning according to a new vertical position of an item of text, the latter advantageously requiring no determination of reading order. Accordingly, BCL's description of zone sequencing does not disclose or suggest repositioning the graphical element on the page according to the new vertical position of an item of text, as recited by claim 69.

Like BCL, Hayashi also fails to disclose or suggest the claimed repositioning instructions. Hayashi describes a document layout process for automatically generating a document layout structure based on a logical structure of the document and layout directive information. (See Hayashi, at col. 1, lines -12; and the abstract.) There is simply nothing in Hayashi that discloses or suggests the claimed repositioning instructions. Accordingly, Hayashi does not disclose or suggest repositioning the graphical element on the page according to the new vertical position of an item of text, as recited by claim 69.

As discussed above, neither BCL nor Hayashi discloses or suggests the claimed repositioning instructions. Consequently, their combination cannot disclose or suggest such instructions. For at least the above reasons, claim 69 and claims 70-78, which depend from claim 69, are in condition for allowance.

Claim 79 is a method claim that includes limitations similar to those of claim 69, and the foregoing remarks apply with equal force to claim 79. Accordingly, claim 79 and claims 80-88, which depend from claim 79, are in condition for allowance.


Applicant : Robert Ayers and Richard L. Sites
Serial No. : 09/635,999
Filed : August 9, 2000
Page : 11 of 11

Attorney's Docket No.: 07844-366001 / P341

Please apply a \$110 one-month extension fee and any other appropriate charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 1, 2004



Tim H. Pham
Reg. No. 48,589

Customer No. 021876
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50206493.doc